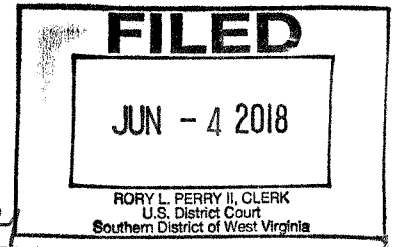


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA



Danny R Lockhart Jr.

3545184

(Enter above the full name of the plaintiff  
or plaintiffs in this action).

(Inmate Reg. # of each Plaintiff)

**VERSUS**

**CIVIL ACTION NO. 2:18-cv-0995**  
(Number to be assigned by Court)

Andrew Chatten

David R Singleton

(Enter above the full name of the defendant  
or defendants in this action)

**COMPLAINT**

**I. Previous Lawsuits**

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes \_\_\_\_\_

No ✓

**B.** If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit:

Plaintiffs: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Defendants: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county);

\_\_\_\_\_

\_\_\_\_\_

3. Docket Number: \_\_\_\_\_

4. Name of judge to whom case was assigned:

\_\_\_\_\_

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

\_\_\_\_\_

\_\_\_\_\_

6. Approximate date of filing lawsuit: \_\_\_\_\_

7. Approximate date of disposition: \_\_\_\_\_

II. Place of Present Confinement: South Central Regional Jail

A. Is there a prisoner grievance procedure in this institution?

Yes ☒ No ☐

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes ☐ No ☒

C. If your answer is YES:

1. What steps did you take? \_\_\_\_\_

\_\_\_\_\_

2. What was the result? \_\_\_\_\_

\_\_\_\_\_

D. If your answer is NO, explain why not: The computer has been not working and I dont think it could help

III. Parties

(In item A below, place your name and inmate registration number in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of Plaintiff: Danny R Lockhart 3545184

Address: 1001 Centre Way Charleston WV 25309

B. Additional Plaintiff(s) and Address(es): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(In item C below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item D for the names, positions, and places of employment of any additional defendants.)

- C. Defendant: Andrew Chatten  
 is employed as: Attorney, practicing in Braxton County WV  
 at PO Box 3547 Charleston, WV 25335
- D. Additional defendants: David R Singleton, Magistrate,  
in Braxton County WV at 307 Main St.  
Suit B 102 Sutton WV 26601

#### IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

I Denny R Lockhart Jr. in the Magistrate Court of Braxton County WV,  
Case No. 15-MOYM-0039 on the 27 day of March 2018 I was Committed  
to Jail for a period of 80 days due to a Probation Violation, failing to pay  
Court Cost and fine. This order handed down was a direct Violation of a plea  
agreement dated the 13<sup>th</sup> day of Sept. 2016. This plea was signed by the  
prosecuting attorney, the magistrate, my Counsel and myself. The signed  
plea agreement clearly states, "Should either the state or the defendant  
violate or fail to comply with any provision of the (2) page plea agreement

**IV. Statement of Claim (continued):**

the within plea, Conviction, and sentence shall be vacated and set aside. A motion was granted to set a hearing to revoke my probation on 8-2-17 by magistrate Singleton, never was a date set for any such hearing. The next hearing that I have record of is a pre-trial hearing set for 11-15-2017 at 2:00 PM. I never recieved notice of this hearing as to appear, however magistrate Singleton did grant a motion for a Capias to arrest on 11-15-17. The Court by scheduling a pre-trial hearing did recognize the plea agreement dated 13 day of Sept. 2016

Court.

**V. Relief**

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

These two have tried to destroy the life of my wife and myself. I would of course like to see them unable to put anyone else through what my family and I have been through. I would like to see criminal charges but if not I know a harsh financial settlement can act as a big deterrent. I have heard that \$600.00 dollars a day is an amount given for being falsly incarcerated, I would like double that, the other \$600.00 per day for my wife, 120 days = \$144,000.00 one hundred fortyfour thousand <sup>no</sup> \$144,000. I would also like my hospital bill paid due to injurgys recieved while in Jail. I recieved 5 fractures

V. Relief (continued):

to my face while at South Central regional Jail, I was taken to Charleston general and I am due to go back for follow up. I would like to be compensated the amount of any current or future bill plus the same amount as the medical cost paid directly to me for my pain and suffering.

VII. Counsel

- A. If someone other than a lawyer is assisting you in preparing this case, state the person's name:

\_\_\_\_\_

- B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action?

Yes \_\_\_\_\_

No ☒

If so, state the name(s) and address(es) of each lawyer contacted:

\_\_\_\_\_  
\_\_\_\_\_

If not, state your reasons: I'm in jail and have no access to a private lawyer

- C. Have you previously had a lawyer representing you in a civil action in this court?

Yes \_\_\_\_\_

No ☒



#### IV. Statement of Claim (Continued):

and did return myself, "the defendant" to my original position of not guilty, as well as automatically reinstating any charges dismissed or reduced as pertaining to said plea signed by all parties dated 9-13-2016.

Convicted defendants do not then go to trial nor are they scheduled for a pre-trial hearing following a guilty plea or a conviction. My attorney Andrew Chatten and magistrate Singleton both knew full well what they were intentionally doing when they handed me the Jail Commitment order on 3-27-2018.

I have to then stop and ask myself why, why would Mr. Chatten and his Co-Conspirator the magistrate, why would they intentionally, vindictively violate my rights in such a malicious sort of way. That's when I keep thinking back to a statement Mr. Chatten made when asked about practicing law in the City of Charleston. I asked Mr. Chatten why if he lived in Charleston, Kanawha County did he only practice law in the smaller less populated Counties like Braxton?

That's when Andrew Chatten said to me, and I quote "I don't work in the City because of all the niggers and queers". After the treatment I have received at the hands of Andy Chatten and factoring in this previous statement, I have come to believe Mr. Chatten believes me to be a homo-sexual and is dishing out such maltreatment due to my sexual orientation.

I respectfully pray that this Court allows me my day in Court and an opportunity to right this wrong, according to our great Constitution.

Thank you  
